

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, JANUARY 31, 2002  
8:15 A.M.**

Commissioners Present: Bob Workman, Chair  
Bernie Heier, Vice Chair  
Kathy Campbell  
Larry Hudkins  
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Dave Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:15 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, JANUARY 17, 2002; MINUTES OF MID-YEAR BUDGET REVIEW , THURSDAY, JANUARY 24, 2002 (MORNING AND AFTERNOON SESSIONS)**

**MOTION:** Campbell moved and Stevens seconded to approve the Staff Meeting minutes dated January 17, 2002 and Mid Year Budget Review minutes dated January 24, 2002. Campbell, Workman and Stevens voted aye. Heier abstained from voting. Hudkins was absent from voting. Motion carried.

**2 ADDITION TO THE AGENDA**

A. Schedule Staff Meeting

**MOTION:** Heier moved and Stevens seconded approval of the addition to the agenda. Stevens, Workman, Heier and Campbell voted aye. Hudkins was absent from voting. Motion carried.

## ADMINISTRATIVE OFFICER REPORT

### A. Subscription to the Omaha World Herald Newspaper

**MOTION:** Campbell moved and Heier seconded to approve a weekly subscription to the Omaha World Herald newspaper, on a six month trial basis. Campbell, Heier, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

### B. Purchase of Chairs for District Court Law Clerks

**MOTION:** Campbell moved and Stevens seconded to authorize the purchase from the Building Fund. Campbell, Heier, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

### E. Commissioners Award of Excellence Plaque Design

The Board reviewed design options (see agenda packet).

**MOTION:** Campbell moved and Heier seconded to accept Option #2. Campbell, Heier and Workman voted aye. Stevens voted no. Hudkins was absent from voting. Motion carried.

### F. Extension of Contract with Jostens for Employee Recognition Awards (Catalog Program)

Cori Beattie, County Board Administrative Secretary, appeared and suggested that the contract with Jostens be extended and that tote bags and jackets be offered as alternative awards.

**MOTION:** Campbell moved and Stevens seconded to accept the recommendation to extend the contract with Jostens and to offer alternative products. Campbell, Heier, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

### G. Video Tape of Youth Services Center Ribbon Cutting

Eagan said Dennis Banks, Lancaster County Juvenile Detention Center Director, would like 5-City TV Studio to videotape the ribbon cutting ceremony and estimated the expense at less than \$100.

**MOTION:** Heier moved and Stevens seconded to authorize the ceremony to be videotaped. Stevens, Campbell, Heier and Workman voted aye. Hudkins was absent from voting. Motion carried.

## H. Lincoln-Lancaster County Ecological Advisory Committee Recommendations

1. Recommend to the Lancaster County Board to support the draft document "Comments from Greenprint Public Forum" (November 3, 2001), in the development of the Lincoln-Lancaster County Comprehensive Plan and to reaffirm support of the Greenprint Challenge to the Comprehensive Plan Committee.
2. Recommend to the Lancaster County Board to impose a moratorium on development in the Little Salt Creek Watershed in the City of Lincoln and Lancaster County until a habitat recovery plan is completed for the Salt Creek Tiger Beetle and to pass this recommendation onto the City of Lincoln Mayor's office and the Comprehensive Plan Committee.
3. Recommend Kay Kottas (see attached) for approval as a new committee member and to accept the reappointment of committee members whose terms expire in January, 2002 to new terms. These members are Steve Gaul, Marilyn McNabb, Bill Latenser, Richard Slama and Richard Sutton.

Board consensus to hold Recommendations 1 and 2.

**MOTION:** Heier moved and Campbell seconded to schedule the appointment and reappointments on the February 5, 2002 County Board of Commissioners Meeting agenda. Stevens, Workman, Heier and Campbell voted aye. Hudkins was absent from voting. Motion carried.

Hudkins arrived at 8:30 a.m.

### **3 LEGISLATIVE UPDATE** - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A), noting the following:

- LB 616 (authorize road maintenance agreements between counties, cities and villages) is on Select File.
- Revenue Committee has scheduled hearings on inheritance tax bills - LB 1242 (change distribution of inheritance tax revenue) and LB 1243 (change the inheritance tax exemption).
- Two bills concerning the Political Subdivision Tort Claims Act LB 355 (change limitation of action provisions under the Political Subdivisions Tort Claims Act) and LB 161 (change amounts recoverable under the Political Subdivisions Tort Claims Act) are not anticipated to be pursued this year.
- No hearing date has been scheduled for LB 1240 (change city and county responsibilities and funds under the Nebraska Visitors Development Act).

The Board reviewed a draft of a letter to members of the Lancaster County Senate delegation informing them that Lancaster County is on record in opposition to LB 1240 (Exhibit B).

- LB 1123 (provide an exception to competitive bidding requirements under the County Purchasing Act) is scheduled for hearing on February 13, 2002.
- LB 1196 (eliminate provisions dealing with law enforcement vehicular pursuits) was heard by the Judiciary Committee.

Terry Wagner, Lancaster County Sheriff, appeared in support of LB 1196.

**MOTION:** Campbell moved and Heier seconded to send a letter supporting LB 1196, cosigned by the Chair, the County Board and County Sheriff, to the Judiciary Committee. Campbell, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

- LB 259 (authorize license and occupation taxes by counties) was advanced to Select File with an amendment requiring a vote of the people before the tax could be imposed. Senator Beutler attempted to amend the bill with AM 2380, which is the same language found in LB 447. That bill would have implemented an arbitration system for the closure of roads by the county for natural resource district projects. The Beutler amendment was ruled not germane to LB 259 and no vote was taken on the amendment. The bill remains in the Transportation Committee. Senator Beutler has filed a motion to pull the bill from committee, which will take twenty-five votes. If the bill is killed by the committee, thirty votes will be needed to pull it from committee.

**MOTION:** Hudkins moved and Stevens seconded to send a letter to the Transportation Committee and members of the Lancaster County Senate delegation informing them that Lancaster County is on record in opposition to LB 447 and to direct Gordon Kissel, Legislative Consultant, to actively lobby senators to oppose the bill. Campbell, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

- LB 1120 (change provisions and provide duties relating to certain discriminatory employment practices and community-based treatment services) is scheduled for hearing by the Judiciary Committee on February 13, 2002.

Workman reported that the Nebraska Association of County Officials (NACO) Board of Directors voted to monitor LB 1138 (create a fund and impose a surcharge under the Emergency Management Act). He suggested that Lancaster County oppose the bill as the fund will be created by imposing a tax on individuals who have properly insured their property.

**MOTION:** Campbell moved and Heier seconded to monitor LB 1138 until it is heard by the Government Committee. Stevens, Workman, Hudkins, Heier and Campbell voted aye. Motion carried.

Workman also reported that the NACO Board of Directors voted to oppose LB 1301 (adopt the Nebraska Historic Preservation Act).

Kissel agreed to provide a summary of the bill.

Mike Thew, Chief Deputy County Attorney, appeared and reported that no one appeared in support of LB 1034 (prohibit extreme or ultimate fighting) when it was heard by the Judiciary Committee last week. He said several promoters appeared in opposition and Senator Hartnett, the bill's sponsor, has indicated that regulation of the activity may be the best approach. No action is anticipated this session.

The Board asked Kissel to contact Senator Hartnett to see whether he made a commitment to hold the bill over or whether letters in support of the bill from the County and City would be beneficial.

Steve Masters, City Public Works/Utilities, appeared to urge support of LB 936 (authorize drainage programs and storm sewer systems for cities, villages, and natural resources districts). He also presented *Program Summary, Nebraska Storm Water Program Lincoln/Lancaster County* (Exhibit C).

In response to a question from Heier, Masters said the bill does not address Sanitary Improvement Districts (S.I.D.'s).

The Board scheduled further discussion of LB 936 with Masters and Don Thomas, County Engineer, on the February 5, 2002 Staff Meeting agenda.

**4 RECORDS MANAGEMENT CONTRACT WITH COMMUNITY ALTERNATIVES NEBRASKA (CAN)** - Brian Pillard, Records & Information Manager; Dave Johnson, Deputy County Attorney; Mike Bowling, Community Alternatives Nebraska (CAN)

Brian Pillard, Records & Information Manager, explained that Lancaster County contracts with Community Alternatives Nebraska (CAN) for microfilming and cataloging services on a piece rate basis.

Mike Bowling, CAN, said the prevailing wage for this type of work has increased \$1.14 per hour. He said the current contract amount is \$20,000 for Fiscal Year 2002 and said he would like to see this increased to insure that work requirements are met.

Pillard said the budget was increased to \$23,000 following the Mid-Year Budget Review.

Dave Johnson, Deputy County Attorney, recommended that the contract include a not to exceed amount and that the rates be attached as an exhibit to the contract.

**5 PART-TIME BACKUP PSYCHIATRIST PAY INCREASE** - Dean Settle,  
Community Mental Health Center Director

Dean Settle, Community Mental Health Center Director, requested that the hourly rate for the two part-time psychiatrists be increased from \$85 to \$95, effective January 1, 2002. He said the fiscal impact to the budget will be \$20,000.

**MOTION:** Hudkins moved and Campbell seconded to authorize the increase for the part-time psychiatrists and to direct the County Attorney's Office to prepare the contracts. Campbell, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

**NOTE:** Settle also disseminated *Community Health Endowment of Lincoln, Year-End Narrative Report* (Exhibit D).

**RETURNING TO ADMINISTRATIVE OFFICER REPORT, ITEM H**

H. Lincoln-Lancaster County Ecological Advisory Committee Recommendations

1. Recommend to the Lancaster County Board to support the draft document "Comments from Greenprint Public Forum" (November 3, 2001), in the development of the Lincoln-Lancaster County Comprehensive Plan and to reaffirm support of the Greenprint Challenge to the Comprehensive Plan Committee.

**MOTION:** Campbell moved and Heier seconded to send a letter to the Lincoln-Lancaster County Ecological Advisory Committee indicating that the County Board and City Council have the final jurisdiction over the Lincoln-Lancaster County Comprehensive Plan and will take the Lincoln-Lancaster County Ecological Advisory Committee's position into account as the two bodies proceed through review and public hearings on the Lincoln-Lancaster County Comprehensive Plan. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

2. Recommend to the Lancaster County Board to impose a moratorium on development in the Little Salt Creek Watershed in the City of Lincoln and Lancaster County until a habitat recovery plan is completed for the Salt Creek Tiger Beetle and to pass this recommendation onto the City of Lincoln Mayor's office and the Comprehensive Plan Committee.

**MOTION:** Campbell moved and Hudkins seconded to:

1. Include a statement in the letter to the Lincoln-Lancaster County Ecological Advisory Committee that Mayor Wesely has developed a plan that has been executed by Executive Order and the County Board will not be taking further action at this time.

2. Include a copy of the memorandum from Mayor Wesely to Kathleen Sellman, Planning Director.

Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

**6 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) REGULATIONS** - Georgia Glass, Personnel Director; Sue Eckley, Workers' Compensation & Risk Management Manager; Diane Staab, Deputy County Attorney

Diane Staab, Deputy County Attorney, explained that the Health Insurance Portability and Accountability Act (HIPAA) regulations will affect all medical providers. County agencies potentially impacted are Lancaster Manor, Community Mental Health Center, Corrections and Drug Court. She said it will be necessary to have computers upgraded to meet HIPAA standards, which will have a budget impact.

Sue Eckley, Workers' Compensation & Risk Management Manager, expressed concern that HIPAA's confidentiality requirements may restrict her ability to obtain medical records.

**MOTION:** Hudkins moved and Campbell seconded to form a Health Insurance Portability and Accountability Act (HIPAA) Committee that will include Diane Staab, Deputy County Attorney; Georgia Glass, Personnel Director; Sue Eckley, Workers' Compensation & Risk Management Manager; Gwen Thorpe, Deputy Chief Administrative Officer; and Dave Kroeker, Budget and Fiscal Officer as members. Campbell, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

The Board asked the HIPAA Committee to send a letter to department heads stressing the need for HIPAA compliance and planning for the expense in their budget.

Campbell suggested that the computer system upgrade may be an appropriate Keno Fund project.

**NOTE:** The following documents were disseminated (Exhibits E & F):

- *How to Prepare for HIPPA Compliance*
- *Preparing for HIPPA*

**ADDITION TO THE AGENDA**

A. Schedule Staff Meeting

Board consensus to schedule a Staff Meeting on Tuesday, February 5, 2002 at 9:30 a.m.

**7 DRUG COURT CONTRACT WITH ADULT PROBATION** - Ed Birkel, Probation Administrator; District Court Judge Karen Flowers; Gary Lacey, County Attorney; Dave Johnson, Deputy County Attorney

Ed Birkel, Probation Administrator, explained that Lancaster County's interlocal agreement with the Office of Probation Administration for operational management of the Lancaster County Adult Drug Court expired in December, 2001 (Exhibit G). He said a second year interlocal agreement was proposed in the amount of \$127,366, which reflects payroll costs, but said the County Attorney's Office has concerns regarding the Board's authority to advance funds prior to the delivery of services (a quarterly payment).

Gary Lacey, County Attorney, said there is a "snag" between the laws that govern how the County pays for services and the way the State is able to provide services.

District Court Judge Karen Flowers said the dispute has delayed the hiring of two additional staff for the Drug Court.

Birkel said the dispute could also impact two additional interlocal agreements the Office of Probation Administration has with Lancaster County involving pre-adjudication electronic monitoring and operational management of the Lancaster County Juvenile Drug Court.

Campbell asked whether the County could sublease administration of the grant that funds the Drug Court to an independent contractor.

Judge Flowers said it may not be permissible under the terms of the grant.

Campbell said a solution may be to recognize the Office of Probation Administration as a partner in the grant, rather than a contractor, in the interlocal agreement and to state that the grant will be shared with them on a quarterly basis.

Eagan suggested that upfront costs be identified in the interlocal agreement.

The Board asked the County Attorney's Office to try to work out a solution to the problem within the next two weeks.

**8 JUVENILE DETENTION CONTRACT WITH OFFICE OF JUVENILE SERVICES (OJS)** - Dennis Banks, Lancaster County Juvenile Detention Center Director; Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director; Dawn Swanson, Nebraska Department of Health and Human Services (HHS); Dave Johnson, Deputy County Attorney; Dave Kroeker, Budget and Fiscal Officer

Dennis Banks, Lancaster County Juvenile Detention Center Director, reported that several options were reviewed with regards to the Nebraska Department of Health and Human Services' (HHS's) need for beds for a Level V treatment program (10 youth). He recommended that the County enter into a contract with HHS to manage and operate the treatment program in the third housing pod of the Juvenile Detention facility, noting funding is contingent upon legislative approval.

Dave Kroeker, Budget and Fiscal Officer, estimated the County's costs at \$205, per day (direct costs only) or \$225, per day (direct costs, indirect costs and depreciation). He said a preliminary figure could also be used, with billing based on actual costs and days.

Dawn Swanson, HHS, said \$730,000 was used as a preliminary budget figure. She said the State has supplemental services available and would prefer to hold off on negotiating the per diem rate until the program is more fully defined. Swanson said that HHS is aware that the County's priority is its own youth and can transfer the youth to the Kearney facility if space becomes a problem.

**MOTION:** Heier moved and Stevens seconded to direct the County Attorney's Office to work with Dennis Banks, Lancaster County Juvenile Detention Center Director, and the Nebraska Department of Health and Human Services (HHS) in preparation of a contract, contingent upon the Nebraska Legislature's approval of the Nebraska Department of Health and Human Services (HHS) budget.

Campbell said the County will want to insure that the number of beds will not fall below a certain level, as the County will be assuming staffing costs.

Stevens suggested that the minimum number of beds be set at eight, with ten as the guideline, with flexibility to expand that number, subject to availability.

**ON CALL:** Campbell, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

**9 JUVENILE DETENTION FACILITY POLICIES** - Dennis Banks, Lancaster County Juvenile Detention Center Director; Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director; Dave Johnson, Deputy County Attorney

Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director, explained that Board approval of the Juvenile Detention Center's written policies and procedures is required by Juvenile Detention Standards for opening of the new facility. She said the policies and procedures were reviewed by Jail Standards, Lincoln/Lancaster County Health Department, State Fire Marshall, Lincoln Police Department, County Attorney's Office and the Personnel Department.

**NOTE:** The County Board will take action on a resolution to formally approve the written policies and procedures at the February 5, 2002 County Board of Commissioners meeting.

**10 RURAL ENTERPRISE ASSISTANCE PROGRAM (REAP) LOAN FOR HANDYMAN SERVICES PLUS** - Troy Gagner, Economic Development Coordinator; Monica Braun, Rural Enterprise Assistance Program (REAP) Coordinator; Dave Johnson, Deputy County Attorney

Monica Braun, Rural Enterprise Assistance Program (REAP), reviewed an application from Handyman Services Plus of Hickman for a REAP loan in the amount of \$10,000 (5% interest over a 60 month term). She said the loan will be used to expand his business and to purchase a van, equipment and advertising.

Dave Johnson, Deputy County Attorney, reviewed the collateral being offered for the loan.

Troy Gagner, Economic Development Coordinator, noted plans to involve the applicant in Urban Development's Housing Rehabilitation Program.

**11 HIRING OF ELOISE CARRICO FOR TRAINING AND CONSULTING SERVICES**

Item withdrawn at the request of the Clerk of the District Court (Exhibit H).

**12 ACTION ITEMS**

A. Budget Letter to Elected Officials and Department Heads

**MOTION:** Campbell moved and Heier seconded approval of the letter. Campbell, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

B. Supplemental No Arbitrage Certificate and Form 8038 for Industrial Development Revenue Bonds for Garner Industries

Donald Burt, Cline Williams Law Firm, appeared and explained that an additional allocation from the Nebraska Investment Finance Authority (NIFA) will allow \$485,000 of the \$500,000 taxable Industrial Development Revenue Bonds for the Garner Industries Inc. Project, to be converted from a taxable to tax free basis. He noted that Garner Industries Inc. has already paid off \$15,000 of the Series 2000-B bonds.

**MOTION:** Campbell moved and Stevens seconded to approve the Supplemental No Arbitrage Certificate and Form 8038 for Industrial Development Revenue Bonds for Garner Industries and to authorize the Chair to sign the appropriate documents. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

- C. Request from Kit Boesch, Human Services Administrator, to Submit Grants:
  - 1. \$214,991 from the Nebraska Crime Commission through the Violence Against Women Act (VAWA)
  - 2. \$400,000 - \$500,000 from the U.S. Department of Justice Regarding Family Violence Issues

**MOTION:** Campbell moved and Stevens seconded to approve the request and to authorize the Chair to sign the appropriate documents. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

- D. Microcomputer Request, C#2002-009, \$2,769.48 from Families First & Foremost (F<sup>3</sup>) for Compaq Pentium IV, 17" Monitor and Software

Eagan reported that Families First & Foremost (F<sup>3</sup>) filed a police report for the stolen laptop computer and received an insurance settlement in the amount of \$3,100 (loss of \$4,100 with a \$1,000 deductible).

**MOTION:** Campbell moved and Hudkins seconded approval of the request, from the Families First & Foremost (F<sup>3</sup>) budget. Campbell, Heier, Stevens, Hudkins and Workman voted aye. Motion carried.

- E. Final Acceptance of Corrections Needs Assessment Report from Voorhis/Robertson Justice Services, Inc.

**MOTION:** Heier moved and Campbell seconded to accept the report.

Heier, Campbell and Hudkins expressed disappointment with the report.

Hudkins also stated that he is concerned with the lack of input from the U.S. Attorney and U.S. Marshals Service.

**ON CALL:** Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

### 13 CONSENT ITEMS

- A. Vacation Request from Kerry Eagan, Chief Administrative Officer, for Friday, February 1, 2002 through Monday, February 4, 2002
- B. Authorize Kerry Eagan, Chief Administrative Officer, or Gwen Thorpe, Deputy Chief Administrative Officer, to Sign Six Proxies for Aetna Life Insurance and Annuity Company
- C. Authorize Kerry Eagan, Chief Administrative Officer, or Gwen Thorpe, Deputy Chief Administrative Officer, to Sign Proxy for Janus Worldwide Fund

**MOTION:** Heier moved and Hudkins seconded approval of the Consent Items. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

## 14 ADMINISTRATIVE OFFICER REPORT

- A. Subscription to the Omaha World Herald Newspaper

Item moved forward on the agenda.

- B. Purchase of Chairs for District Court Law Clerks

Item moved forward on the agenda.

- C. Update on the Lincoln Convention & Visitors Bureau

The Chair and Vice Chair will meet with Mark Essman, Lincoln Convention & Visitors Bureau Director, on February 7, 2002 and representatives of the Holiday Inn Downtown, Embassy Suites and The Cornhusker Hotel on February 8, 2002 to discuss concerns.

**NOTE:** Copies of *Convention and Visitors' Bureau, July 2001-June 2002 Proposed Budget* (Exhibit I) were distributed.

- D. Response to Letter from Kathleen Sellman, Planning Director, Regarding Acreages and Urban Expansion

The Board reviewed a letter from Kathleen Sellman, Planning Director, (Exhibit J) received in response to a letter from Commissioner Heier with regards to planning and developing acreages to facilitate eventual incorporation into the City.

**MOTION:** Hudkins moved and Campbell seconded to send a letter of response to Kathleen Sellman, Planning Director, signed by members of the Board, indicating that the Board had requested the information, not Commissioner Heier and to copy the following:

1. Dave Johnson, Deputy County Attorney
2. Mayor Don Wesely
3. Ann Harrell, Administrative Assistant to the Mayor
4. Kent Morgan, Assistant Planning Director
5. Mike DeKalb, Planning Department
6. Stephen Henrichsen, Planning Department

Campbell, Workman, Stevens and Hudkins voted aye. Heier abstained from voting. Motion carried.

- E. Commissioners Award of Excellence Plaque Design

Item moved forward on the agenda.

- F. Extension of Contract with Jostens for Employee Recognition Awards (Catalog Program)

Item moved forward on the agenda.

G. Video Tape of Youth Services Center Ribbon Cutting

Item moved forward on the agenda.

H. Lincoln-Lancaster County Ecological Advisory Committee Recommendations

Item moved forward on the agenda.

I. Operation ABLE Award Nomination

Board consensus to send a letter to members of the Management Team seeking nominations.

J. Letter from Sinclair Hille & Associates Inc. Regarding Sprinklers in Pipe Chases at the Youth Services Center

The Board reviewed a letter from Chris Beardslee, Sinclair Hille & Associates Inc., responding to the Board's request that he investigate what would be involved to install only sprinkler heads in the plumbing chases in the Youth Services Center, a total of 44 locations (Exhibit K).

Hudkins said he believes Sinclair Hille & Associates Inc. should pay the cost of the installation (\$30,000), as Beardslee authorized the deletion without the County Board's approval. He noted that the sprinklers were included in the original specifications, which were reviewed by Alvine and Associates. Hudkins also stated that he believes a better credit could have been negotiated.

Stevens suggested the Board send a letter of admonition to Sinclair Hille & Associates Inc., architect for the project, and the contractor.

Eagan said Beardslee had intended to bring the matter back to the Board but there was a long delay in getting the price quote for the deduction. The work proceeded in the meantime.

Campbell noted that the Bureau of Fire Prevention had agreed to drop the requirement for sprinkler heads in the plumbing chases if the users of the facility provided a letter that indicated the rooms would not be used for storage purposes. Greg Pettibone, Lancaster County Juvenile Detention Facility Project Manager, issued a letter to that effect, which was copied to Dennis Banks, Lancaster County Juvenile Detention Center Director, and Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director.

Hudkins recommended that the Board ask the architect, engineering firm and contractor to renegotiate this item and said "otherwise we expect it to be done".

**MOTION:** Hudkins moved and Heier seconded to respond to the letter from Chris Beardslee, Sinclair Hille & Associates Inc., indicating that the Board appreciates the additional information but does not accept the Change Order.

Stevens asked whether the deletion will compromise the safety of the facility.

Eagan said there is no question that additional sprinklers are preferable, but said the architect believed that the sprinklers could be deleted in the plumbing chases without compromising safety.

Campbell said she can not justify having anyone spend \$30,000 to go back and install the sprinklers when the Fire Marshall has determined that it is not necessary.

Hudkins disagreed and said the relevant issue is that the architect gave an order to change the plans without bringing it before the Board.

**ON CALL:** Heier and Hudkins voted aye. Campbell, Workman and Stevens voted no. The motion was defeated.

**MOTION:** Campbell moved and Stevens seconded to schedule discussion of the change order on the February 5, 2002 Staff Meeting agenda. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

#### K. Committee Assignments

Item continued to the February 5, 2002 Staff Meeting.

### 15 DISCUSSION OF BOARD MEMBER MEETINGS

#### A. Parking Committee - Campbell

Campbell reported that parking requests were reviewed.

#### B. Lancaster Manor Advisory Committee - Workman

Workman said he was unable to attend the meeting.

#### C. Nebraska Association of County Officials (NACO) Board Meeting - Workman

Workman reported that a proposal to expand the NACO Board of Directors was defeated.

## 16 ADJOURNMENT

**MOTION:** Stevens moved and Hudkins seconded to adjourn the meeting at 11:46 a.m. Campbell, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk